

## **REMARKS**

### **I. Introduction**

Claims 1-29 are currently pending in the present application. It is respectfully submitted that all of the presently pending claims are allowable, and reconsideration is respectfully requested. New claim 29 is added and claim 13 is amended, for which support can be found, for example, in the specification at paragraphs [0027] and [0035]. No new matter is added.

### **II. Examiner Interview**

Applicants would like to thank Examiner Roy and Examiner Casler for the interview of March 25, 2008 with Jocelyn Ram (54,898) and Jeffrey Ginsberg (36,148). In this interview, the Examiners agreed that the prior art of record does not disclose all the elements of claim 1, specifically the third set of electrodes rotatable around a longitudinal axis relative to the first and second set of electrodes. Therefore, the Examiner agreed that the previous rejections would be withdrawn.

### **III. Rejections Under 35 U.S.C. §103(a)**

Claims 1-26 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,015,389 to Brown ("Brown") in view of U.S. Patent Publication No. 2004/0209351 to Thielecke et al. ("Thielecke") in further view of U.S. Patent No. 6,363,275 to Kaiser ("Kaiser"). In the Examiner Interview, the Examiner agreed that this rejection would be withdrawn.

Claims 27 and 28 were rejected under 35 U.S.C. 103(a) as being unpatentable over Brown in view of Thielecke in view of Kaiser in further view of U.S. Patent No. 6,231,572 to Hart et al. ("Hart"). In the Examiner Interview, the Examiner agreed that this rejection would be withdrawn.

**IV. Conclusion**

It is therefore respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Any fees for extension(s) of time or additional fees required in connection with the filing of this response, are hereby petitioned under 37 C.F.R. § 1.136(a), and the Commissioner is authorized to charge any such required fees or to credit any overpayment to Kenyon & Kenyon's Deposit Account No. 11-0600.

Respectfully submitted,

KENYON & KENYON LLP

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